



Atty. Dkt. No. 065064-0135

Handwritten initials: JAF, JGL

Applicant: Mark Leslie SMYTHE et al.

Title: PROTEIN ENGINEERING

Appl. No.: 09/830,011

Filing Date: 7/23/2001

Examiner: Lori A. Clow

Art Unit: 1631

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated May 20, 2005, finally rejects claims 1, 3, 4, 16, 17, 27, 28, and 31-44 and the decision of the Examiner in the Ex Parte Quayle dated September 22, 2005, finds that claims 31-38 and 40-44 of the application are in condition for allowance.

☒ [X] Applicant claims small entity status.

☒ [X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ [X] Notice of Appeal Fee

☒ [X] To be paid as detailed below

☐ [] Not required (Fee paid in prior appeal)

11/21/2005 SZEWDIE1 00000005 09830011

01 FC:2401
02 FC:2253

250.00 OP
510.00 OP

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1,520.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$760.00
	TOTAL FEE:	\$760.00

☒ A check in the amount of \$760.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

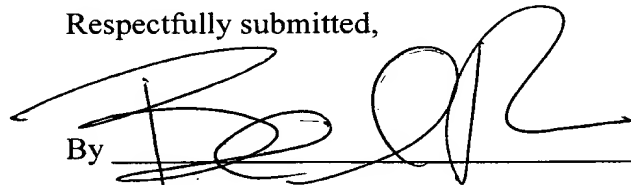
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date November 18, 2005

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Respectfully submitted,

By



Beth A. Burrous
 Attorney for Applicant
 Registration No. 35,087